

MINUTES
Nye Beach Design Review Overlay
Ad Hoc Work Group Meeting
Newport City Hall Conference Room A
Wednesday, March 26, 2014

Ad Hoc Members Present: Wendy Engler, Kathy Cleary, Don Huster, and Michael Franklin.

Ad Hoc Members Absent: Jody George.

Planning Commission Liaison Present: Jim Patrick.

City Staff Present: Community Development Director (CDD) Derrick Tokos and Executive Assistant Wanda Haney.

Guests: Karen Wilson.

I. Call to Order and Introductions. CDD Tokos opened the meeting at 10:33 a.m.; and introductions were made. Tokos noted that he hoped everyone had received the email with the meeting materials attached, which included the agenda, the code Chapter 14.30, the Design Guidelines and Standards, and a colored map showing the boundary of the district. Extra copies of the agenda and the map were available. Tokos explained that what he did with the agenda was to set it up so that the first thing was an overview of the existing design review regulations.

II. Overview of City's Existing Nye Beach Design Review Regulations. Tokos went through the code and pulled out the major highlights and divided them into bite size pieces, which he was showing on a PowerPoint presentation. He wanted to walk through the provisions of the code and the design guidelines and the interplay between the two.

Purpose: Tokos noted that "Purpose" is discussed in the code right off the bat. He pointed out that design review is not something that jurisdictions have to do; it is totally optional in the community. The way Newport approached it was from larger master planning done within the community to identify discrete neighborhoods that would be appropriate for design review. Nye Beach was the only one that pursued that through and ultimately adopted design guidelines. Tokos highlighted that the purpose of these standards is to "ensure the continued livability of the community." Other standards are pertinent because if you are seeking to do a development that requires design review and you want to do something different than those guidelines provide, the Planning Commission looks at it to see if it is compatible with the community. It is further the purpose of these standards to: "preserve the beautiful natural setting and the orientation of development in order to strengthen their relationship to the setting; enhance resources to preserve and strengthen the historic, scenic, and neighborhood character; improve the vehicular and pedestrian networks; strength the area's economic vitality by improving its desirability; and improve the built environment in order to strengthen the visual appearance." Tokos said those are very discretionary things that the Planning Commission has to get their heads around in the event they have an application to review.

Geographic Boundaries: Tokos noted that the map shows that the boundary is at NW 12th south to SW 2nd, and from the Pacific Ocean east to Hurbert. He said what he is showing on the slide is more or less the same map as was handed out, but he did throw in the zoning. Zoning in Nye Beach is "Tourist Commercial" (C-2), "High Density Multi-Family Residential" (R-4), and a few public properties zoned "Public Structures" (P-1). Most of the residential is tucked up to the north part of the district or east of Coast Street. Engler asked what P-1 zoning is. Tokos explained that it is public structures and is one of three public designations the City has. He talked about the different P-1 uses in Nye Beach. Engler couldn't tell from the slide and questioned if the zoning on High Street isn't R-4. Cleary clarified that High Street between Olive and 3rd Streets is R-4 on both sides. Patrick noted that on a small area of High north of 3rd, the west side is C-2 and the east side is R-4. He asked if Eager Beaver is C-2 then. Tokos said that he thinks Eager Beaver is actually in R-4; it's just a legacy use. North of 6th Street all residences on the west side of High Street are in the C-2 designation.

Special Zoning Standards - General: Next, Tokos went over the special zoning standards in Nye Beach. Among those are that no drive-through windows are allowed. Residences associated with a B&B may be on any floor. Applicants have to sign a waiver of remonstrance agreement to participate in future street and sidewalk improvements if there is such a plan. Patrick asked if we are tracking those. Tokos said that we have an inventory and have mapped them citywide. He said that is a provision we may want to revisit. It's a measure per the TSP, so this is kind of redundant. Franklin asked if that means they will participate in the funding of those improvements; and Tokos confirmed that. The streetscape project was accomplished through urban renewal. The City maintains that. Further down the road there will have to be a comprehensive re-do of that. As there is new growth, we expect they will be signing on to participate in that. Franklin mentioned outside Nana's where the sidewalk goes out. He said that is not good for turning traffic. If the City decides to change that does that mean that Nana's is responsible for that? Tokos said that is a small-scale project, and the City would probably be able to budget for it. These agreements are for

large-scale improvements. Patrick noted that 6th Street is on for sidewalk. He asked if that's part of a citywide program, and the people on that street are not being charged. Tokos said that he didn't know. There wasn't sufficient funding to tackle that at this time. He's unsure what source of funding will be available for that. He said it could be an LID.

Tokos continued on with the special zoning standards. Single-family residences are permitted outright in the C-2 zone if on a floor other than street grade and located along Coast, Olive, Cliff, Beach, or 3rd Streets. Pre-existing dwellings on street grade are fine, but are limited to the existing footprint. Patrick asked if we didn't change that. Patrick thought he remembered it went into the regular planning code. Others thought they remembered a change also. Tokos said commercial has a separate set of rules, but the code doesn't allow residences at street grade. Up to five multi-family units are allowed outright in C-2 if other than on street grade. No RV parks are permitted within C-2 or P-1. Tokos thought maybe what everyone was recalling is that additional residential use is allowed, including at street grade, on C-2 property north of NW 6th Street and south of NW 2nd Court along Coast, Olive, and Cliff with the following limitations: maximum density is 1,250 sf per unit; maximum height is 35 feet; maximum lot coverage is 64% unless there is below-grade off-street parking provided, in which case it is 90%; at least one off-street parking space is provided per unit; and is set back from the property line no more than 5 feet. The R-4 zoned areas are eligible for the full range of C-2 uses provided a conditional use permit is obtained if the use wouldn't otherwise be permitted in R-4 and the total gross floor area doesn't exceed 1,000 square feet. Tokos said there may need to be some clarification here. He said that we haven't had interest in the provisions that C-2 is allowed in R-4 as long as it's limited to 1,000 square feet gross floor area and may have to have a conditional use permit. But, you can do tourist commercial uses in R-4. There was brief discussion about those types of uses. Uses permitted outright in the C-2 zone are permitted throughout the district provided the gross floor area doesn't exceed 2,000 square feet; and square footage limit can be exceeded with a conditional use permit. Tokos said maybe there needs to be some cleanup on that language. The second clause overrides the first.

Special Zoning Standards – Setbacks: All required yards and setbacks are reduced by 50%. This is relevant to residential; not commercial, which has no setbacks. In R-4, the side yard is 2.5 feet, 7.5 feet front, and 5 feet rear. Garages normally have 20 feet setback for parking; so Nye Beach residential is reduced to 10 feet. If you do row houses, you don't benefit from the setback reduction. Tokos noted that there is a number of detailed standards with respect to that type of development. C-2 has no setback requirements; but in many cases it must be located within 5 feet of the property boundary. The purpose is to pull them up to create a streetscape where they're closer. There are provisions that typically require separation between commercial and residential areas. In Nye Beach, that is 5 feet instead of 10. Patrick said we should probably look at the landscaping rules. He said it makes no sense to do landscaping in 5 feet between residential and commercial. Normally there is a 10-foot buffer that should be landscaped and fenced. He noted that it makes the landscaping on the wrong side of the fence, which doesn't make sense in the regular code either. This one won't make sense to do landscaping in 5 feet. He noted that the 5-foot buffer is on the commercial property itself. So if the residential side yard setback is 2.5 feet, you are looking at 7.5 feet of separation. He added that there is usually a fence requirement between commercial and residential. Tokos agreed that he didn't know if those buffer requirements make sense in this context. He said whether the group feels there should be buffering requirements or not is certainly fair game. Engler said with the 10-foot garage setback, there would be cars parked on the sidewalk, which she doesn't think is a good thing. Tokos said how the code was made for Nye Beach, when they said we will cut all setbacks in half as a total approach; they needed to consider what that actually means. Were they just thinking of the conventional front and side setbacks; or were they thinking garages too. The reason the 20 feet is there is because vehicles have a fixed length. Patrick thought this came out of the streetscape where they were trying to bring everything forward in this design. If you have 10-foot setback, typically you get a restriction that you can't park in that 10 feet. He said the idea is for safety so you can pull out of your garage and over the sidewalk without hitting somebody. Franklin wondered if it was to have more room to design the house because of the smaller lots. Patrick said in San Francisco where the garages are right up to the street, you know you can't park there unless maybe it's a motorcycle or a smart car. Tokos said that he didn't know if there was anything restricting parking there; but there are provisions in the Municipal Code that prohibit parking on sidewalks. He said like in San Francisco, if your garage is right up to the street, you don't have room to try to park; with 10 feet maybe there is enough to park. Patrick said it's view; you don't want to see a house, a house, a house, and then an empty space. Huster said most don't have 10 feet anyway. Franklin said when you are looking at a house being built, you have to look at each lot on a case-by-case basis. Cleary said it impacts parking if there's no garage.

Special Zoning Standards – Lot Size: Tokos said that the minimum lot size is 3,000 square feet in order to recognize the small lot sizes in Nye Beach. Minimum lot width is 30 feet in the Nye Beach R-4 zone.

Special Zoning Standards – Parking: Tokos noted that commercial uses bounded by SW 2nd Street, NW 6th Street, High Street, and the Pacific Ocean are exempt from off-street parking as provided in the parking district approved by the City Council. Commercial uses outside that area, have the first 1,000 square feet of gross floor area exempted for determining the off-street parking requirement. Tokos explained that the way the City does the calculations for off-street parking is to use a standard ratio that has been more or less approved nationwide. It is based off studies to determine the demand generated by uses, and based on square-footage basis that is what it requires for off-street parking. All uses in the district get on-street parking credit for each on-street space adjacent to your property and get to reduce off-street spaces by one with limitations. You only get full spaces; not half spaces. It's pretty clear about what you count as an on-street space.

Design Guidelines: Tokos moved on to the design guidelines, which was the other handout. He said basically what you have is an attempt through very special architectural design standards to insure that the treatment of buildings adhere to the architectural style of the Bungalow Craftsman, the Stick and Eastlake, and the Colonial and Georgian. It's broken into standards for single-family, multi-family, and commercial development. There are some provisions regarding accessory structures. Then there is a glossary of terms with illustrations so you can get a better sense of what those architectural requirements will look like when actually constructed. Tokos noted that state law in Oregon requires there be clear and objective standards for approval of residential development, which came about from jurisdictions trying through design standards to keep out lower income housing. The state said you can't use design standards to preclude residential, and you have to have clear and objective standards. Tokos thought that through this process the Council was hoping that if there was concern with any of these provisions that would get fleshed out and on the table so we can get a sense of whether there is the need to make changes to the architectural standards. Tokos was asked if these are state standards; and he noted that these are all local standards that create a clear and objective path. These are very specific regarding things like roof pitch so it's not discretionary on staff's part. You either meet them or not. That is what clear and objective is. Engler asked if for commercial there could be a whole different set of standards; they don't have to be as clear. Tokos said he was not aware that you can subject commercial to discretionary standards. Engler mentioned the City of Sisters where main street is old west style; but they don't require anything with residential. It's just the main commercial street. Tokos agreed that Sisters is a great example.

When is Design Review Required: Tokos said basically new construction or substantial reconstruction requires review; or if you bring in any building from outside the district or are relocating a dwelling. An accessory structure will need review if it's larger than 300 square feet or 200 square feet if within 20 feet of a right-of-way. Review is required if the gross floor area of an existing building is being increased by more than 50% or if the building footprint is increased more than 1,000 square feet.

Review Authority: Tokos said that this is a little more convoluted and could use some clarification. Some triggering mechanisms are in the guidelines and some are in the code; and it's not great to have it split up that way. The Planning Commission reviews any project that requires review under design guidelines, a conditional use permit, or a variance. The height limitation in C-2 is 50 feet, but if a commercial building is taller than 35 feet or if the footprint is larger than 40 feet, it has to go through discretionary design review. It wouldn't meet the clear and objective standards. Patrick wondered what the 40-foot footprint means; in any of the dimensions? Tokos said on page 12 of the guidelines, it further explains it's along the frontage street. Franklin asked for clarification that if it exceeds 40 feet of frontage, then it goes into discretionary design review and goes to the Planning Commission. Tokos confirmed that it goes to the Planning Commission for public testimony. In answer to a question from Engler, Tokos noted that there are different types of permits. Conditional use review is different than design review. A Conditional Use Permit triggers in certain cases. Anywhere someone doesn't use designs from the guidelines, it goes through design review. Things not followed from the guidelines like courtyards, roof pitch, or windows not done in this way, kicks it into design review. The purpose provisions are what are utilized for that review. Conditional use review is required if the exterior dimension is 100 feet or more and has a different set of standards where the Planning Commission is looking at if it's consistent with the area and that type of evaluation; not looking at design review provisions.

Submittal Requirements: Tokos said this is pretty straightforward. An applicant submits the application form, scaled site plan, architectural renderings, names and addresses of property owners within 200 feet (the notification area), and written findings.

III. Review and Discuss Items Council is Seeking to Address. The next slide showed a list of issues raised at the City Council and the reason this group was formed. He noted that the code had a 10-year review provision requiring that the City Council hold a public hearing to take public comment of whether this code is working properly. If the Council felt, as in this case they did, that there were enough issues raised, they would consider review. The Council referred this to the Planning Commission; and the Commission felt that putting an ad hoc work group together was the best approach for putting a framework together before the Commission considers it at a public hearing. The issues the Council wanted considered were based on: the width, length, and mass for buildings; setback standards; height requirements; whether architectural features are helping realize the village character; zoning (uses) permitted; and changes to the boundary or not.

IV. Identification of Issues to Explore in Developing Draft Code Amendments. Tokos was hoping the group would discuss if the Council's list captures what should be reviewed, or if there is anything missing. Cleary said, as Chuck Victory had brought up before, a number of owners on High Street between Olive and 3rd would like to see the R-4 zoning removed and go to R-2 in order to maintain the neighborhood character. Tokos said he is unsure about that. There is no R-2 zoning in the Nye Beach Overlay. He said basically that is saying you would like not to be in the Nye Beach Overlay. Cleary said that they're not saying that. They are concerned about multi-family dwellings and changing to duplexes or triplexes. She said parking is a big issue since vacation rentals were allowed. Patrick said if it's R-2, you will get into trouble because none of the lots will meet the standards. With R-4 you're just barely making it. He said there are minimum lot sizes for each of those zoning areas. Basically 5,000 square feet allows duplexes. He doesn't know if some of those lots would make 2,500 square feet. Huster said there are

a lot of 50' x 85' lots. Patrick agreed there are a lot of weird lot sizes down there. He thought the whole thing behind this standard was trying to avoid that. That is why they tried to stay R-4, which is 1,250 square feet for one unit. He said if the lot is under 2,500 square feet, you couldn't build a duplex back. If there is more than 50% damage, you are required to bring it up to code. Franklin asked if that's how we encourage people to tear down old dumps and to rebuild. Patrick said that is what this came from; so we could develop Nye Beach. Cleary asked if then R-4 gives you the ability to build that. Huster said from an economic standpoint, you need the density to make the numbers work.

Patrick said that there is nothing that says you can't put another overlay that would restrict duplexes on that street or something; but he wouldn't change zoning. Engler said if you look at the objective, it's to encourage single-family homes. Patrick said there is a way to get there; you don't want to change zoning. You have to have clear and objective; but he thought there is a way to do it inside R-4 by putting additional restrictions on things because it is in Nye Beach. In designing it, you have just that one street; not the whole district. Huster said to make the area pedestrian-friendly generally you want more density. Cleary said that neighborhood exists already and is already full. Huster said maybe that is what is desirable. Cleary said not that particular neighborhood. She said it's more of a concern for the future. She said that once Blakeslee's vacation rental went it, it raised all kinds of concern. She said it's a very detrimental issue to that neighborhood. Huster questioned if zoning is the correct tool to address that. Patrick thought it would be big trouble if you try to use zoning to do it. He suggested trying to find a different way to get results. Cleary thought it was worth visiting to see.

Engler said the question is what's the vision for neighborhoods in residential zones. She said we need to look at the bigger picture before messing with zoning. Tokos said R-4 and C-2 as currently structured are designed to facilitate increased residential density and a mix of housing types; multi-family and single-family. Engler said maybe we need to take a look at that. Tokos asked, to achieve what point? Engler said to have a clear vision of what we are doing in neighborhoods; so we won't have apartment buildings. She said to see what increase in density means.

It was noted that High Street lots are small; and there is a little house on a lot of them. That seems pretty dense. Tokos said that's getting in the code and designating what use might happen on individual lots. Those streets may stay the way they are for a long time. Patrick said we could take a look at lot sizes. He said also character issues can get to the design standards and preclude a lot. He said that through accessory dwelling units (ADUs), you may get some units in there. Cleary asked what ADUs are. Tokos said they are like mother-in-law units. It allows for somebody to have a small residential unit connected to the same water and sewer. It can be free-standing or part of the primary dwelling. It basically can't be an independent unit with its own water and sewer; it has to be tied into the main service. Franklin asked if it can be used as a rental. Patrick said it can be for aging parents, mother-in-law, or rental. He said even if they have only a 2400-square-foot lot, they can still do an ADU inside the house. There are limitations on size; he believed it's 600 square feet. He said there's also a percentage of the house.

Franklin asked Cleary if she knew the size of her lot. She thought it was something like 30' x 70' or 80'. Franklin asked if it's the concerns of those people that investors will come in and buy seven or eight lots and build apartments. He noted that the property values are pretty high for that. He said Nye Beach has been the gem of the community. He would like to see what we have continue as far as it can go. Nye Beach has become a destination. He thinks what the current overlay is accomplishing is working.

Engler asked if the district should stop at 8th Street or go up to 12th. She noted that Jump Off Joe was typically the northern boundary. It's mostly residential up there, and there are a lot of design issues. People don't deal with residential. That automatically caused problems with development on 12th Street. She thought it was the Painters' house. She said that the issue is we are being too restrictive to the areas north of 8th Street.

Tokos noted, as he had mentioned at the Council meeting, that the last discretionary review in Nye Beach under the discretionary standards was Greenstone Inn in 2008. So it's been a while since there's been discretionary review. Small residential has been going through guidelines. The Inn at Nye Beach will likely be coming back through and going through discretionary review for some changes they want to make. There has been no development of any size for a number of years. Design guidelines have been lightly utilized. There are a number of vacant properties like at Olive and Coast where the old cottages used to be. People have come in about that and talked to the department. They haven't indicated that the standards are an impediment at this point. Cleary said it's probably the cost of the properties. Engler said the owner planned to do little cottages, but hasn't because of economics. Huster said that the owner talked to him, but Huster couldn't figure out how to do what he wanted with it.

Engler said that looking at the comments from the public hearing, she wanted to hit a few things that were raised as issues. Unique character and historical attributes, and Nye Beach character (village character) were some of them. The solar aspect was mentioned as needing more. It was raised that maybe a solar ordinance is needed. Franklin asked if that's possible in C-2; it will have an impact on setbacks. Tokos said that is what is driving it. Height and setback is how to achieve solar access; not to say solar codes aren't drafted. He said that a number of jurisdictions have solar access codes. Cleary said it would be nice if we can do something to mitigate that issue. Tokos doesn't believe we want to do a separate solar access code because it makes it complicated administratively. Engler asked if that's an issue that could be addressed and was told that it was. She thought it's

common to have more setback the taller the building is. She said that the Mayor had said that she had two renderings that had good suggestions; but Engler has never seen those and would like to. Tokos said for buildings too big, you could move the upper story further back. Engler noted that one person at the hearing had said open spaces are good and was concerned about height and mass. She hadn't heard other people mention open space. Another comment was that there should be more bicycle and pedestrian circulation. Tokos said that is more of a street code issue. Engler said it's good to have that discussion with the parking district. They have talked about bicycle parking in the parking committee. Huster wondered if this is an appropriate avenue for addressing skateboarding in Nye Beach. Tokos said it is an issue to put in the issue bin; but it can't be brought forward in design review. It's not part of the design review standards.

V. Date for Next Meeting. Tokos said that his suggestion is over a series of meetings to bundle up a couple of issues per meeting. We could take on boundaries and uses in one meeting and whether they should be adjusted. Then maybe height, mass, setbacks, and solar categories. The third meeting could be architecture and historic design. The last meeting could be standards and processes. Take a look at the purpose provisions and if those are adequate. If not, does discretionary review give the Planning Commission the tools needed. We can clean up the process so it's more understandable. He asked if this sounded reasonable in terms of tackling it. The consensus was that it did.

Patrick thought the design review worked well; but he thought there is some room for refinements. He said now's a good time to do it because there's no pressure on us. We can figure out what we want to do. He said that overall it has worked really well. He said it's a success story down there. In fact, it's a statewide success. When he goes to builders' meetings, they know about Nye Beach. Cleary said we can make adjustments based on what we've learned.

Franklin said we don't want to put so much restriction on height where the numbers don't work, and future development isn't possible. People don't want to invest only to have it fall through. Huster said you can design Utopia, but if nobody can afford to build, then nothing will happen. It affects everyone's property values. If adjustments aren't made and property values increase, this "beautiful gem" isn't going to be there. Cleary said we are walking a well-defined line between balance of reasonable development and over restricting development. Patrick said the height limitation in C-2 is 50 feet, and maybe we should put bigger side boards around that. Maybe Nye Beach is not the best place for that. He said for an example of a 50-foot-high building, look at the jail. Tokos said that he can imagine bringing out visuals as part of the discussion on height and mass; show some pictures of developments in Nye Beach to show height and setbacks. Cleary said that would be very helpful.

Cleary asked if there is anything going on with the laundry property. Tokos said not that he's aware of. He noted that there are environmental issues that have to be addressed. He was approached about it, but the question was more to do with could they do for-a-fee surface parking as an interim use while sorting through a lot of things; and the answer is yes. For-fee parking is consistent with tourist commercial zoning. Tokos said the City has no interest in it because the environmental issues raise a red flag.

Tokos asked how frequently the work group would like to meet. He envisions four additional meetings and maybe a fifth for wrap up. He said he can't meet any quicker than two weeks; four weeks is reasonable. Patrick said monthly would be fine with him. He said we are not in a big hurry; and the others agreed. Franklin noted that he will be gone May 14th to 20th. Patrick asked the group if there is any problem with Wednesdays; and the discussion was about a Wednesday near the end of the month. April 23rd was suggested. The last Wednesday of the month, which would be April 30th, was also mentioned. It was decided a late Wednesday in each month was acceptable. The next meeting was scheduled for Wednesday, April 23rd from 10:30 a.m. to noon.

Cleary asked what the first meeting was going to cover. Tokos said it actually will be the second meeting, and we will be addressing boundaries and uses. At the third meeting we'll discuss height and mass; at the fourth it will be architecture; the fifth will be standards and processes; and the sixth meeting will be a wrap up.

Engler noted that there are important long-term decisions being made here. She said a lot of people testified at the City Council meeting. There are a lot of people in the neighborhood who care about what we are doing. She said it doesn't make sense to do it in a vacuum. She thought we need a forum where we have a public meeting and take input before we hammer out specific things. Patrick said this group is basically doing the grunt work to get an idea of what kind of things we want to change. There will be a hearing before the Planning Commission to take public testimony to see how people feel about it. It would be an open meeting where we would have people show up to give input. The Planning Commission wanted this group to develop the initial concepts for a conversation at what will be a work session with the Commission where the members of this group are invited and can talk to the Planning Commission about this. It is an open public meeting with notice to all in Nye Beach. Then possibly this group will be brought back after that public input so if there are a lot of public comments, this group can say to keep it as it is or change it based on feedback. Then it will go through the public hearing process.

Cleary asked if it would make sense to bring in an outside consulting group that can talk specifically from the standpoint of community development in a small area rather than citywide. She said that she and Engler talked to the City Manager, and he is open to that. Tokos said that this approach is a targeted approach. The City Council didn't ask to reinvent Nye Beach; which is

a different type of consultant if you are doing a reinvention process. The type of professional that might be of benefit here might be an architect to discuss about architectural standards and how they affect a neighborhood. Maybe looking at what Nye Beach will look like in 10 years. This is our roadmap. If this was all gone, then we would be starting from scratch, and that would require a different type of consultant. Engler said that she wasn't thinking of starting over. Patrick said this is a course correction. Look where we've been and where we're going. This is a map of where we are supposed to go, how do we get there, and what do we need to change. He said we are basically using what we have got. We are using the concept of the Nye Beach village. Huster said it's a refinement process. Patrick agreed and said, where does it work and where doesn't it. Engler said that we've never taken a look at what the character of Nye Beach is and really defined it. She noted that Dustin Capri, who is an architect that was just appointed to the Commission's Citizens Advisory Committee, went to school in Eugene. He had a professor there that may be willing to come talk to us. Or we could ask a state historian to talk about the definition of what is the character of Nye Beach. Franklin thought that we had four or five styles. Patrick said we went through that when we did the original Overlay. He said we went through all of that and got this guideline. He said it's too early to reinvent it. For a course correction, you take what you've got and make it work. We don't have the time nor the money to do a re-envisioning. Tokos agreed that we don't have the budget for a re-envisioning process. Patrick said he would be happy to take the professor's input. It possibly would be helpful. But he's afraid of getting out into the weeds too much. Engler said that she appreciates that it's easier to operate without a bunch of input. Patrick thought we should keep the focus on what we want to do. He said that we have to stay between the lines if we want to get something done. Tokos said as long as we respect the parameters that have been set for design overlay, we are respecting all of that prior public process. If we go outside the general framework, that begs a bigger public process so we're not making decisions without that feedback. He thought we were fine as long as we respect those prior guidelines.

Engler said that she remembered attending the first meeting in 1993. The guidelines were adopted in 1997 and then were rewritten in 2003. She said that James Bassingthwaite got a book on generic Oregon architecture. Those designs were more just general. He didn't go to the historical society. She said the guidelines were written by an attorney who got a book on generic architecture and don't really reflect the buildings in Nye Beach. Franklin said it sounds like you are trying to change the design. Huster asked if she is saying these examples are not adequate; and Engler confirmed that. Patrick said if we start considering historical stuff, we will get some pretty ugly-looking buildings. He gave an example of the natatorium. He said not much in Nye Beach at that time would be very attractive now. Patrick thought we have a lot of room inside this to push it every way we can. A lot will be hit by design review by the Planning Commission. That is when you get a chance to change things. He thought we should keep our focus narrow. We're just doing a course correction. Franklin said if there are particular homes in the area that you don't like then point them out so we can look and see what doesn't appeal. Engler thought that the community should decide. She said that one issue has always been if we should do private homes. She said that is why Mike Shoberg said the district should end at 8th Street on the north. She is not convinced that someone should have to go through design review for a house. She said she doesn't have to like it when it's a residence; but she thought commercial is more important.

Tokos said when we get to the meeting regarding architecture, for that one we will have to have visual examples and if you feel it is or isn't consistent with what Nye Beach is about. He said it's not about a particular house. It's just that this is an example that is consistent and here's why; or why not. Look at those elements to determine what is being permitted through the architectural standards that is allowing this type of development that is inconsistent. Engler said that she could ask Dustin Capri to talk to his professor. Tokos said that we could reserve a little bit of time at the end of the meeting on April 23rd to map out how we want to approach this. Or at the meeting where we are discussing height, setback, and solar, we can set aside time to decide how to tackle the next discussion, which will be architecture. Franklin asked if it would be good to come to that meeting with designs so we can figure out what fears people have of the direction that Nye Beach could go in the future. Cleary asked if these guidelines applied to remodeling or repair. Tokos said there is a threshold in here. If they do a remodel and remove a feature, they can do that. Franklin asked if there is nothing to do with frontage. Tokos said the key point for design review to be successful is that there has to be buy-in from the community; they have to believe in it. If somebody doesn't want to play by the rules, they can figure a way to build inconsistently. Tokos said he can reserve time on the next agenda to map out if we want to bring in outside resources, and if so, what.

Engler wondered if we could get an article published about what the ad hoc group is doing so the public will know and know that they are invited to come. Patrick said we can get it on the City's website also. Tokos said we can do press releases and things of that nature. Engler thought it would be helpful to have it on the City's website. Patrick said he wants to keep it transparent and open so the public can see what we are doing. We get more comments that way. Engler said that she knows that in the motion that Mark Saelens made about sending this to the Planning Commission, he does say that we are not limited to just the issues they mentioned. Patrick said the purpose of this work group is to find all issues and work it out. Then we will take it to the Planning Commission and will bring back a refined version and then put it out for a public hearing. He said that we can take as much time as it takes.

VI. Adjournment. Having no further business to discuss, the meeting adjourned at 12:05 p.m.

Respectfully submitted,

Wanda Haney
Executive Assistant